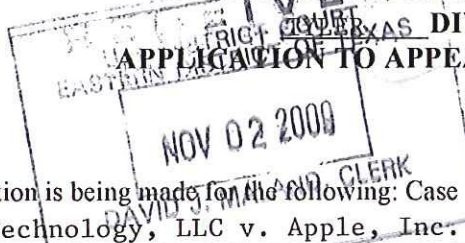


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

RIGHT COURT TEXAS DIVISION
APPLICATION TO APPEAR PRO HAC VICE



1. This application is being made for the following: Case # 6:08-CV-447 (LED)
Style: EMG Technology, LLC v. Apple, Inc. et al.

2. Applicant is representing the following party/ies: American Airlines, Inc.

3. Applicant was admitted to practice in IL (state) on 5/24/05 (date).

4. Applicant is in good standing and is otherwise eligible to practice law before this court.

5. Applicant is not currently suspended or disbarred in any other court.

6. Applicant has has not had an application for admission to practice before another court denied (please circle appropriate language). If so, give complete information on a separate page.

7. Applicant has has not ever had the privilege to practice before another court suspended (please circle). If so, give complete information on a separate page.

8. Applicant has has not been disciplined by a court or Bar Association or committee thereof that would reflect unfavorably upon applicant's conduct, competency or fitness as a member of the Bar (please circle). If so, give complete information on a separate page.

9. Describe in detail on a separate page any charges, arrests or convictions for criminal offense(s) filed against you. Omit minor traffic offenses.

10. There are no pending grievances or criminal matters pending against the applicant.

11. Applicant has been admitted to practice in the following courts: District of Columbia; State of Illinois; N. Dist. of Illinois; U.S. Court of Appeals for the Federal Circuit; Virginia(48555)

12. Applicant has read and will comply with the Local Rules of the Eastern District of Texas, including Rule AT-3, the "Standards of Practice to be Observed by Attorneys."

13. Applicant has included the requisite \$25 fee (see Local Rule AT-1(d)).

14. Applicant understands that he/she is being admitted for the limited purpose of appearing in the case specified above only.

Application Oath:

I, David C. McKone do solemnly swear (or affirm) that the above information is true; that I will discharge the duties of attorney and counselor of this court faithfully; that I will demean myself uprightly under the law and the highest ethics of our profession; and that I will support and defend the Constitution of the United States.

Date 10-28-2009

Signature

D. C. McKone

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
APPLICATION TO APPEAR PRO HAC VICE (Continued)

Name (please print) David C. McKone
State Bar Number 6285018
Firm Name: Nixon Peabody LLP
Address/P.O. Box: 300 S. Riverside Plaza, 16th Floor
City/State/Zip: Chicago, Illinois 60606
Telephone #: 312-425-3900
Fax #: 312-425-3909
E-mail Address: dmckone@nixonpeabody.com
Secondary E-Mail Address: _____

Applicant is authorized to enter an appearance as counsel for the party/parties listed above. This application has been approved for the court on: 11/2/09



David J. Maland
David J. Maland, Clerk
U.S. District Court, Eastern District of Texas

By MLL
Deputy Clerk

Receipt for Payment

Receipt No: 6-1-0019887

United States District Court

for the

Eastern District of Texas at Tyler

Date: Monday, November 2, 2009

Received from:

NIXON PEABODY LLP
300 S. RIVERSIDE PLAZA
16TH FLOOR
CHICAGO, IL 60606

<u>Account</u>	<u>Amount</u>
6855XX	\$25.00
Total	<u>\$25.00</u>

<u>Account</u>	<u>Description</u>
085000	- Attorney Admission Fees
086400	- New Case Fee
086900	- Filing Fees
121000	- Conscience Fund
129900	- Gifts
143500	- Interest
322340	- Sale of Publications
322350	- Copy Fees
322360	- Miscellaneous Fees
322380	- Recoveries of Court Costs
322386	- Cost of Prosecution
504100	- Crime Victims Fund
508800	- Immigration Fees
510000	- Civil Filing Fee (1/2)
5100PL	- Partial Filing Fee (PLRA)
510100	- Registry Fee
604700	- Registry Funds/General and Special Funds
613300	- Unclaimed Monies
6855XX	- Deposit Funds

Payment method: Check

Case or other reference: 6:08CV4-17

Comments: PHV - CK 116002335
DAVID C. MCKONE

Received by: KB